

Message Text

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PAGE 01 CAIRO 08004 01 OF 02 120537Z

ACTION IO-13

INFO OCT-01 NEA-10 ISO-00 CIAE-00 COME-00 EB-07 INR-07

LAB-04 NSAE-00 SIL-01 AF-10 ARA-06 EA-07 EUR-12

DODE-00 PM-04 H-01 L-03 NSC-05 PA-01 PRS-01

SP-02 SS-15 USIA-06 /116 W

-----120539Z 043377 /11

P R 111630Z MAY 77

FM AMEMBASSY CAIRO

TO SECSTATE WASHDC PRIORITY 4959

INFO AMEMBASSY JIDDA

AMEMBASSY KUWAIT

AMEMBASSY RABAT

AMCONSUL CASABLANCA

USMISSION GENEVA

USMISSION USUN NEW YORK

C O N F I D E N T I A L SECTION 1 OF 2 CAIRO 8004

E.O. 11652: GDS

TAGS: ILO ELAB PFOR EG US

SUBJECT: ILO: 63RD INTERNATIONAL LABOR CONFERENCE - EGYPT

REF: CAIRO 7936

SUMMARY. USG REP TO ILO HOROWITZ CONTINUED DISCUSSIONS WITH MFA OFFICIAL DURING WHICH DIFFERENCES OF OPINION WERE CLARIFIED OVER (A) POLITICAL NATURE OF CURRENT CONFLICT IN ILO; (B) ROLE OF OFFICERS OF GOVERNONG BODY IN AMENDED ARTICLE 17 AND SUPREMACY OF PLENARY CONFERENCE; AND (C) '74 ISRAELI RESOLUTION. DESPITE MAJORITY DIFFERENCES GOE SEEKS BASIS FOR COMPROMISE. US WILLING TO BE FLEXIBLE ON LANGUAGE AS LONG AS THE INTEGRITY AND DUE PROCESS OF ILO MAINTAINED. GOE WILL STUDY US POSITION WITH VIEW TO FINDING COMMON GROUND TO AVOID GOE-US CONFRONTATION ON ILO ISSUES. MR. HOROTWITZ HAS NOT CLEARED THIS MESSAGE. END SUMMARY.

CONFIDENTIAL

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PAGE 02 CAIRO 08004 01 OF 02 120537Z

1. IN FOLLOW-UP TO NOROWITZ/FAHMY MEETING REPORTED REFTEL HOROWITZ MET MAY 10 WITH DIRECTOR MFA INTERNATIONAL ORGANIZATIONS DEPARTMENT AMRE MOUSSA. HOROWITZ REVIEWED EARLIER DISUCSSION AND STATED THAT HE SOMEHWAT CONCERNED WITH FONMIN'S STATEMENT THAT ALL ISSUES IN ILO ARE POLITICAL. HE ALSO OPINED THAT RADICAL STATES APPEAR

TO BE DECIDING ARAB/AFRICAN POLICY IN ILO AND REFERRED TO RESOLUTIONS OF TRIPOLI AFRICAN LABOR MINISTERS CONFERENCE (ALMC). MOUSSA SAID FONMIN ONLY SAID THAT ALL COUNTRIES' POSITIONS HAVE POLITICAL CONNOTATION, INCLUDING THOSE OF US. GOE WAS DISTURBED BY PRESENT US POSITION THAT SMACKS OF ULTIMATUM THAT IT WOULD BE VERY DIFFICULT FOR ANY COUNTRY TO ACCEPT. HOROWITZ SAID US IS NOT THREATENING BUT IT WANTS ILO MEMBERS TO RECOGNIZE THEIR OWN INTERESTS IN MAINTAINING INTEGRITY OF ILO. THE US IS NOT ASKING ANYTHING OF ANYONE, BUT IT MUST SAFEGUARD PRINCIPLES AND OBJECTIVES OF ILO.

2. SPEAKING FRANKLY, HOROWITZ SAID IT APPEARS ARAB STATES NOT PRIMARILY INTERESTED IN WORKERS IN OCCUPIED TERRITORIES, BUT HAVE POLITICAL OBJECTIVE. ILO MACHINERY EXISTS FOR INVESTIGATION OF COMPLAINTS BUT ITS USE HAD NOT BEEN REQUESTED. US CAN NEVER ACCEPT CONDEMNATION WITHOUT PRIOR INVESTIGATION BECAUSE IT IS GROSS VIOLATION OF DUE PROCESS. MOUSSA SAID ARTICLES 24 AND 26 OF ILO CONSTITUTION PROVIDE ONLY FOR COMPLAINTS IN SOVEREIGN TERRITORIES OF MEMBER STATES AND ARABS DO NOT RECOGNIZE ISRAEL SOVEREIGNTY OVER OCCUPIED TERRITORIES. HE ALSO REJECTED ANALOGY TO CHILE INVESTIGATION SAYING THAT ESSENCE OF ILO CONFLICT WAS ISRAEL. HOROWITZ REFUTED THIS STATING THAT FOR US IT WAS MATTER OF PRINCIPLES AND DUE PROCESS.

3. MOUSSA SAID GOE WISHED TO AVOID CONFRONTATION AND WAS WILLING TO SEEK COMPROMISE OVER THE TWO PRINCIPAL ISSUES -- AMENDMENT OF ARTILCE 17 AND ISRAELI '74 RESOLUTION. IN CONFIDENTIAL

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PAGE 03 CAIRO 08004 01 OF 02 120537Z

DISCUSSION OF ARTICLE 17 MOUSSA MAINTAINED THAT AMENDED VERSION WOULD GIVE TO A SMALL GROUP ("OFFICERS OF GB) RIGHT TO SCREEN ALL RESOLUTIONS. THIS, IN GOE VIEW, WOULD PARALYZE ILO AND VIOLATE THE SUPREME AUTHORITY OF CONFERENCE ITSELF. HE FELT LANGUAGE WAS SPECIFICALLY TAILORED TO PROTECT ISRAEL AND ASKED HOW US COULD ASK EGYPT OR ANY ARAB STATE TO SUPPORT SUCH A RESOLUTION. GOE WAS PREPARED TO MEET US HALF WAY "BUT DON'T ASK US TO SUPPORT YOU IN PROTECTING ISRAEL." HOROWITZ SAID THIS WAS NOT THE CASE AND AMENDMENT TO ARTICLE 17 WAS SUBMITTED BEFORE THE 1974 CONDEMNATION OF ISRAEL. HE REITERATED THAT US CONCERN IS WITH DUE PROCESS AND THE INTEGRITY OF THE ILO MACHINERY FOR INVESTIGATIONS THAT HAS EXISTED FOR OVER 50 YEARS.

CONFIDENTIAL

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PAGE 01 CAIRO 08004 02 OF 02 120527Z
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C O N F I D E N T I A L SECTION 2 OF 2 CAIRO 8004

4. MOUSSA SAID HE STOOD BY HIS INTERPRETATION OF LANGUAGE OF ARTICLE 17, BUT SUGGESTED TWO SIDES SEEK COMMON GROUND. AS ARTICLE 17 NOW STANDS, GOE COULD NOT SUPPORT IT. US APPEARS TO BE PRESENTING GOE WITH "TAKE IT OR LEAVE IT" PROPOSITION. US MUST TAKE INTO ACCOUNT GOE FEARS AND CONCERNS. HE ASKED IF US WOULD ACCEPT CHANGES IN THE LANGUAGE. HOROWITZ SAID LANGUAGE OF AMENDMENT ALREADY RESULT OF INPUT OF MANY COUNTRIES AND COMPROMISES. HOWEVER, US WOULD BE PREPARED TO CONSIDER SPECIFIC LANGUAGE CHANGES AS LONG AS THERE IS AGREEMENT ON THE OBJECTIVE. WHAT US CANNOT ACCEPT IS REAFFIRMATION OF THE '74 ISRAELI RESOLUTION SINCE THIS WOULD DEFEAT THE PURPOSE OF AMENDMENT. HOROWITZ PARTICULARLY OBJECTED TO PROPOSAL OF ALMC THAT ARTICLE 17 BE REFERRED TO STRUCTURE COMMITTEE BECAUSE IT IS "FORMULA FOR KILLING IT."
MOUSSA SUGGESTED ONE POSSIBILITY
MIGHT BE TO INCLUDE SPECIFIC REFERENE TO "OCCUPIED TERRITORIES."

CONFIDENTIAL

CONFIDENTIAL

PAGE 02 CAIRO 08004 02 OF 02 120527Z

HOROWITZ INDICATED THAT THIS CHANGE COULD LEAD TO CONDEMNATORY RESOLUTION WITHOUT PRIOR INVESTIGATION WICH WOULD BE UNACCEPTABLE. MOUSSA OBJECTED TO FACT THAT A SMALL GROUP WOULD BE JUDGE OF "INTENT" OF A RESOLUTION THAT MIGHT BE

SUBMITTED BY 50 MEMBERS. MOUSSA REJECTED IDEA THAT EGYPT FOLLOWS LEAD OF RADICAL STATES, BUT IT DOES NEED TO BE CONVINCED OF VALIDITY OF AMENDMENTS. ISRAEL TRADITIONALLY OBJECTS TO ANY INVESTIGATION IN OCCUPIED TERRITORIES AND GB COULD WELL DECIDE THAT ANY RESOLUTION FOR INVESTIGATION HAS AS ITS INTENT TO SHOW SOMETHING WAS WRONG. IT WOULD THEREFORE BE JUDGED UNACCEPTABLE. HOROWITZ SAID THIS WAS NOT US INTERPREATION OF NEW ARTICLE 17 AND RECOMMENDED DISCUSSION OF WORDING. MOUSSA ASKED IF US WAS READY TO ACCEPT THAT OFFICES OF GB WOULD NOT BE JUDGES OF INTENT.

5. WITH REGARD TO '74 ISRAELI RESOLUTION, MOUSSA SUGGESTED COMPROMISE TO SAVE FACE OF ALL PARTIES. HOROWITZ RESPONDED THAT US DOES NOT FEEL THAT ITS FACE NEEDS SAVING SINCE ITS ONLY CONCERN IS INTEGRITY OF ILO. MOUSSA REPLIED THAT INTEGRITY OF ORGANIZATION REQUIRES RESPECT FOR THE FULL CONFERENCE. HE ASKED IF THE DIRECTOR GENERAL COULD DO SOMETHING TO CONTINUE OR START AN INVESTIGATION IN THE OCCUPIED TERRITORIES. HOROWITZ SAID US OPPOSED RESOLUTION OR REFERENCE TO A RESOLUTION WITHOUT PRIOR INVESTIGATION. NEVERTHELESS, US ASSUMES DG WILL REPORT TO ILC ON WHAT HAS HAPPENED SINCE 1974 RESOLUTION AND HE ASSUMES IT WILL BE DISCUSSED IN CONFERENCE. AT SAME TIME EXPERTS' COMMITTEE REPORT WILL INCLUDE REFERENCE TO OCCUPIED TERRITORIES AMONG SOME 40 OTHER SUBJECTS AND THIS TOO EXPECTED TO BE DISCUSSED. HOROWITZ STRESSED THAT US DOES NOT WANT ANY MORE VIOLATIONS OF ILO PROCEDURES ON THIS RESOLUTION OR ANY OTHER SUBJECT. HE FURTHER STATED THAT IF COMPLAINT FILED AND INVESTIGATION STATED THAT, EVEN IF COUNTRY REFUSES TO PERMIT ENTRY, INVESTIGATION CONTINUES THROUGH SECONDARY SOURCES AND REFUSAL ITSELF BECOMES AN ELEMENT IN ARRIVING AT A JUDGEMENT. CONFIDENTIAL

CONFIDENTIAL

PAGE 03 CAIRO 08004 02 OF 02 120527Z

MOUSSA RESPONDED THAT US REPS IN INTERNATIONAL ORGANIZATIONS HAVE USUALLY VOTED AGAINST REPORTS BASED ON SECOND HAND REPORTS IN UNGA. HOROWITZ SAID ILO BECAUSE OF ITS LONG HISTORY AND WELL ESTABLISHED PROCEDURES IS SUI GENERIS. MOUSSA SAID ISRAEL IS ALSO SUI GENERIS SINCE UNDER PRESENT CONSTITUTION "OCCUPIED TERRITORIES" ARE NOT MENTIONED. HOROWITZ SAID IT SHOULD BE POSSIBLE WITH A LITTLE IMAGINATION TO FORMULATE LANGUAGE TO COVER OCCUPIED TERRITORIES.

6. MOUSSA REITERATED GOE DESIRE TO SEE COMPROMISE AND WAS DISAPPOINTED THAT US DID NOT HAVE IDEAS FOR COMPROMISE TO PUT FORWARD. HOROWITZ REITERATED THAT US CANNOT COMPROMISE ON PROCEDURES AND INTEGRITY OF ORGANIZATION AND THAT ISRAEL IS NOT THE ISSUE. HE FURTHER STATED THAT THE CONFERENCE IS NOT A JUDICIAL BODY. ILO CONSTITUTION PROVIDES FOR

INVESTIGATIVE MACHINERY AND PROCEDURES. MOUSSA SAID THAT
GOE BELIEVES THAT IN ALL INTERNATIONAL ORGANIZATIONS
PLENARY CONFERENCE IS THE SUPREME BODY. HOROWITZ COUNTERED THAT
CONFERENCE MUST PASS ON AMENDMENTS AND IF IT DOES SO IT IS
SELF-LIMITING MECHANISM. CONFERENCE SHOULD NOT THEN USURP
AUTHORITY IT HAS GIVEN TO OTHER BODIES.

7. MEETING ENDED ON CORDIAL NOTE WITH MUSSA UNDERTAKING TO
STUDY ARTICLE 17 AMENDMENT AND DISPOSAL OF '74
ISRAELI RESOLUTION. AND TO SEEK OUTCOME THAT WOULD BE ACCEPTABLE TO
BOTH US AND EGYPT. THESE WOULD BE CONVEYED EITHER THROUGH
EMBASSY OR ITS DELGATION TO ILO.
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